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Attorneys for Defendant
ELECTROSPEC, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCI TECHNOLOGY, INC., an Alabama
corporation,

Plaintiff,

v.

ELECTROSPEC, INC., a New Jersey
corporation; and DOES 1-10, inclusive,

Defendants.

CASE NO. C11-00060 EJD

**STIPULATION AND [PROPOSED] ORDER TO VACATE REFERRAL TO
EARLY NEUTRAL EVALUATION DUE
TO AGREEMENT TO ATTEND
PRIVATE MEDIATION**

Plaintiff SCI Technology, Inc. ("SCI") and Defendant Electrospec, Inc. hereby stipulate to
the following:

**I.
RECITALS**

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3 1. The parties agreed to submit this matter to Early Neutral Evaluation ("ENE")
4 pursuant to the Northern District ADR Local Rule 3-5. The court referred this matter to ENE based
5 on that agreement. The deadline to complete the ENE is July 6, 2011.

6 2. Gilda R. Turitz, Esq. was appointed the ENE Evaluator for this matter. The parties
7 worked diligently together and with Ms. Turitz to identify a date they could all personally attend the
8 ENE conference on or before the July 6, 2011 deadline. The parties were unable to identify a date
9 they could all personally attend by that deadline.

10 3. The parties have now agreed to submit this matter to private mediation through
11 JAMS with the Honorable Joseph F. Biafore (ret.) The mediation is scheduled for August 11, 2011
12 in the San Jose, California office of JAMS.

13 4. The parties have informed ADR Staff Attorney Robin Siefkin and Ms. Turitz that
14 they have agreed to private mediation.

15 5. Based on the parties' agreement to mediation, the parties have agreed to stipulate to
16 a court order vacating the referral to Early Neutral Evaluation.

**II.
STIPULATION**

17
18 1. The parties agree to submit this matter to private mediation with the Honorable
19 Joseph F. Biafore (ret.) The mediation is scheduled for August 11, 2011 in the San Jose, California
20 office of JAMS.

21 2. The parties hereby stipulate to a court order vacating the referral to Early Neutral
22 Evaluation.
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Dated: June 24, 2011 HAYES SCOTT BONINO ELLINGSON & McLAY, LLP

PROPOSED ORDER

GOOD CAUSE APPEARING THEREFORE, the order referring this matter to Early Neutral Evaluation is hereby VACATED based on the parties' agreement to submit this matter to private mediation.

Dated: June 27, 2011


HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA